

123 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-1444-2023
IN CRM-M-60917-2022
Date of Decision:12.01.2023

BALWINDER KUMAR AND ORS Petitioners

Versus

STATE OF PUNJAB AND ANR Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present : Mr. Navjot Singh, Advocate
for the applicant-petitioner.

Mr. Amish Sharma, AAG, Punjab.

JAGMOHAN BANSAL, J. (Oral)
CRM-1444-2023

The next date fixed before this Court is 27.02.2023.

Application is allowed and the matter with the consent of parties is taken today itself.

Application stands disposed of.

CRM-M-60917-2022

The petitioner through instant petition under Section 482 is seeking quashing of order dated 02.12.2022 (Annexure P-1) whereby Additional Chief Judicial Magistrate, Ludhiana has rejected cancellation report filed by Investigating Agency in FIR No.17 dated 07.05.2021 under Sections 406, 498A, 420 and 120B of IPC of IPC, 1860 registered at Police Station NRI, District Ludhiana.

Learned counsel for the petitioner at the outset submits that petitioner is permanent resident of Canada and decree of divorce has already been passed by Competent Court at Canada. The petitioner is

subjected to per month maintenance to his daughter and lump sum amount to wife. The petitioner cannot leave country unless and until matter is concluded and if he does not leave the country, he would not be able to earn and make payment towards maintenance as directed by Competent Court at Canada. He further submits that respondent may be directed to expedite the matter and file appropriate report at the earliest.

Notice of motion.

On the asking of Court, Mr. Amish Sharma, AAG, Punjab accepts notice on behalf of the respondent-State.

Learned State counsel on being confronted with aforesaid prayer of the petitioner assures the Court that Investigating Agency would conclude investigation at the earliest.

In view of the statement of learned State counsel, this Court is sanguine of the fact that Investigating Agency, keeping in mind that petitioner is a resident of Canada and it is family dispute would expedite the matter and conclude investigation at the earliest.

Disposed of.

(JAGMOHAN BANSAL)
JUDGE

12.01.2023
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Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>